

## Message Text

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PAGE 01 TEL AV 12079 01 OF 03 091322Z  
ACTION SS-25

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O 091208Z SEP 78  
FM AMEMBASSY TEL AVIV  
TO SECSTATE WASHDC IMMEDIATE 5394  
INFO AMCONSUL JERUSALEM

C O N F I D E N T I A L SECTION 01 OF 03 TEL AVIV 12079

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E.O. 11652: GDS  
TAGS: SHUM, IS  
SUBJECT: 1979 HUMAN RIGHTS SUBMISSION

1. FOLLOWING REPRESENTS EMBASSY AND CONGEN JERUSALEM'S  
SUGGESTED CHANGES FOR 1979 HUMAN RIGHTS SUBMISSION  
(NUMBERS ARE KEYED TO 1978 SUBMISSION).
2. ISRAEL

SECTION 1  
-- PAGE 1, 1.B. "ALTHOUGH THERE HAVE BEEN RARE EXCEPTIONS  
IN THE PAST, WE KNOW OF NO INSTANCES IN THE LAST YEAR OF  
CRUEL, INHUMAN AND DEGRADING TREATMENT. SUCH TREATMENT  
IS NOT SANCTIONED IN ISRAEL, AND LAW ENFORCEMENT IS  
CARRIED OUT WITHOUT THE EXCESSIVE USE OF FORCE. THERE  
ARE ALLEGATIONS THAT AN AMERICAN CITIZEN, SAMI ESMAIL,  
WAS MISTREATED WHILE UNDER INTERROGATION SOON AFTER HE  
WAS ARRESTED ON SECURITY CHARGES IN DECEMBER 1977. WE  
HAVE LOOKED INTO THESE ALLEGATIONS AND HAVE FOUND THE  
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PAGE 02 TEL AV 12079 01 OF 03 091322Z

AVAILABLE INFORMATION INCONCLUSIVE."  
-- PAGE 2. ADD THE FOLLOWING AT THE END OF D: "IN THE  
COURSE OF THE PAST YEAR, TWO AMERICAN CITIZENS - SAMI  
ESMAIL AND TERRY FLEENER - WERE ARRESTED, TRIED AND  
CONVICTED OF SECURITY OFFENSES. THEY RECEIVED FAIR  
TRIALS AND WERE REPRESENTED BY COUNSEL. PORTIONS OF  
FLEENER'S TRIAL WERE CLOSED TO THE PUBLIC, WHILE ESMAIL'S

TRIAL WAS OPEN THROUGHOUT."

SECTION 2

-- SECOND PARAGRAPH (PAGE 2), FIRST SENTENCE: "ALL ISRAELIS ARE GUARANTEED FREE PUBLIC EDUCATION THROUGH THE EIGHTH GRADE" (VICE "SIXTH GRADE").

-- FOURTH PARAGRAPH (PAGE 3), FIRST SENTENCE: "THE TITLE TO MOST OF THE LAND IN ISRAEL IS HELD BY THE STATE OR QUASI-PUBLIC ORGANIZATIONS IN TRUST FOR THE JEWISH PEOPLE. ARABS, MANY OF WHOM ARE ENGAGED IN AGRICULTURE, ARE IN PRACTICE UNABLE TO PURCHASE SUCH LANDS, ALTHOUGH THEY MAY PURCHASE PRIVATELY-OWNED LAND THROUGH ORDINARY COMMERCIAL TRANSACTIONS. THERE HAVE BEEN FREQUENT COMPLAINTS . . ."

SECTION 3

-- A. (PAGE 3) SECOND SENTENCE SHOULD READ: "AN ANTI-PROSELYTIZING MEASURE ADOPTED BY THE KNESSET IN LATE 1977, WHICH OUTLAWS THE OFFERING OF BRIBES OR MATERIAL BENEFITS AS AN INDUCEMENT TO RELIGIOUS CONVERSIONS, CONTINUES TO CAUSE UNEASE AMONG SOME CHRISTIAN GROUPS IN ISRAEL BECAUSE OF ITS VAGUE WORDING, BUT THUS FAR NO LEGAL ACTION HAS BEEN TAKEN UNDER THE LAW."

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PAGE 03 TEL AV 12079 01 OF 03 091322Z

-- C. (PAGE 4) THIRD PARAGRAPH, LAST SENTENCE: "UNLIKE DRUZE, CIRCASSIANS AND JEWISH ISRAELIS, ARABS ARE NOT SUBJECT TO THE MILITARY DRAFT. HOWEVER, THEY MAY SERVE VOLUNTARILY IN THE DEFENSE ESTABLISHMENT."

3. OCCUPIED TERRITORIES

-- FIRST PARAGRAPH (PAGE 4), FIRST SENTENCE: "THE OCCUPIED TERRITORIES" VICE "ISRAEL'S OCCUPIED TERRITORIES."

-- SECOND PARAGRAPH (PAGE 5), LAST SENTENCE: CHANGE "70 SETTLEMENTS" TO "95 SETTLEMENTS" AND "8,000 PEOPLE" TO "14,500 PEOPLE, EXCLUDING JERUSALEM."

SECTION 1

-- A. (PAGE 5) FIRST PARAGRAPH: "ALLEGATIONS ABOUT THE USE OF TORTURE BY ISRAELI OFFICIALS DURING INTERROGATION OF ARAB SECURITY SUSPECTS HAVE BEEN RAISED FREQUENTLY. WIDELY PUBLICIZED ALLEGATIONS OF THIS KIND WERE CONTAINED IN THE JUNE 19, 1977, ISSUE OF THE SUNDAY

TIMES OF LONDON AND IN A RECENT ISSUE OF TIME MAGAZINE. THESE ALLEGATIONS STEM FROM ACCOUNTS GIVEN AFTER THEIR RELEASE BY ARABS ARRESTED FOR SECURITY OFFENSES. SUCH ACCOUNTS DESCRIBE HUMILIATING OR BRUTAL TREATMENT BY ISRAELI OFFICIALS DURING THE COURSE OF INTERROGATION IN ORDER TO OBTAIN CONFESSIONS AND/OR THE NAMES OF OTHER SECURITY OFFENDERS. IT IS IMPOSSIBLE TO VERIFY THESE CHARGES. NEVERTHELESS, THERE IS A GENERAL FEELING AMONG

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PAGE 01 TEL AV 12079 02 OF 03 091520Z  
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C O N F I D E N T I A L SECTION 02 OF 03 TEL AVIV 12079

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ARABS IN THE OCCUPIED TERRITORIES THAT SUCH ABUSES OCCUR AND ARE A SYSTEMATIC PRACTICE. IN DISCUSSIONS WITH ISRAELI AUTHORITIES, WE HAVE BEEN ASSURED THAT SUCH PRACTICES ARE FORBIDDEN BY ISRAELI LAW AND THAT ANY VIOLATORS ARE PUNISHED."

-- A. (PAGE 5) SECOND PARAGRAPH: DROP FIRST TWO SENTENCES. THIRD SENTENCE SHOULD READ: "TO DETER FURTHER ALLEGATIONS OF MISTREATMENT, ISRAEL AGREED IN 1977 TO ALLOW REPRESENTATIVES OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC) RESIDENT IN ISRAEL AND THE OCCUPIED TERRITORIES TO, INTER ALIA, VISIT DETAINEES DURING THE PERIOD OF THEIR INTERROGATION NO LATER THAN THE FOURTEENTH DAY AFTER ARREST. IN PRACTICE, VISITS HAVE TAKEN PLACE ONLY ON THE TWELFTH, THIRTEENTH OR FOURTEENTH DAY. PRIOR TO THE AGREEMENT, HOWEVER, ICRC REPRESENTATIVES WERE ALLOWED ACCESS TO PRISONERS ONLY

AFTER A LONGER PERIOD OF TIME. DURING THE JANUARY-JUNE  
1978 PERIOD, ICRC DELEGATES PAID 268 VISITS TO CIVILIAN  
ARAB DETAINEES UNDER INTERROGATION. BASED UPON EXPERI-  
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PAGE 02 TEL AV 12079 02 OF 03 091520Z

ENCE GAINED DURING THE FIRST YEAR OF THEIR AGREEMENT,  
ISRAEL AND THE ICRC ARE CURRENTLY RENEGOTIATING SEVERAL  
ASPECTS OF IT."

-- A. (PAGE 6) THIRD PARAGRAPH, FIRST SENTENCE: "WE  
HAVE NO FIRST-HAND EVIDENCE TO CONFIRM ALLEGATIONS THAT  
ISRAEL FOLLOWS A CONSISTENT PRACTICE OR POLICY OF  
TORTURE DURING INTERROGATIONS." REST OF PARAGRAPH  
UNCHANGED.

-- B. (PAGE 6) FIRST PARAGRAPH, REPLACE THIRD SENTENCE  
WITH FOLLOWING: "IN MID-1978 THE WEST BANK MILITARY  
GOVERNOR WAS DISMISSED FROM HIS POSITION AND TWO HIGH-  
RANKING OFFICERS IN THE BETHLEHEM REGIONAL COMMAND WERE  
DISCIPLINED FOLLOWING THE USE OF EXCESSIVE FORCE IN A  
BEIT JALA SCHOOL AND AN ATTEMPT TO COVER UP THE INCIDENT."  
DROP LAST SENTENCE.

-- B. (PAGE 6) SECOND PARAGRAPH: "IN CONTRAVENTION  
OF THE FOURTH GENEVA CONVENTION, OCCUPATION AUTHORITIES  
HAVE IN THE PAST SELECTIVELY EXPELLED RESIDENTS OF THE  
WEST BANK AND GAZA STRIP SUSPECTED OF HAVING OR KNOWN  
TO HAVE ENGAGED IN TERRORISM OR ANTI-ISRAELI POLITICAL  
AGITATION. WE KNOW OF NO CASE OF INVOLUNTARY DEPORTA-  
TION THIS YEAR. IN 1978 THE ISRAELI MILITARY AUTHORI-  
TIES PERMITTED THE RETURN OF A HEBRON NOTABLE PREVIOUSLY  
EXILED FROM THE WEST BANK. REQUESTS FOR THE RETURN OF  
OTHER EXILES HAVE BEEN FORWARDED BY WEST BANK MAYORS.  
OTHER INDIVIDUALS CONVICTED OF TERRORISM HAVE HAD THEIR  
HOMES DEMOLISHED OR SEALED UP AND THEIR FAMILIES DIS-  
PLACED, THEREBY INFLECTING A TYPE OF COLLECTIVE PUNISH-  
MENT. WHILE THE PRACTICE OF DEMOLITION OF HOMES HAS  
BEEN SUSPENDED, THERE HAVE BEEN AT LEAST SIX CASES OF  
SEALING UP OF HOMES THIS YEAR."

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PAGE 03 TEL AV 12079 02 OF 03 091520Z

-- B. (PAGE 6) THIRD PARAGRAPH, FIRST SENTENCE: "OVER-  
CROWDING IN PRISONS CONTINUES TO BE A SERIOUS PROBLEM.  
THERE WAS A SERIES OF HUNGER STRIKES BY SECURITY  
PRISONERS IN 1977. THE ICRC ..."

-- C. (PAGE 6) FIRST PARAGRAPH: "AS OF JULY 1978  
THERE WERE ABOUT 2,050 NON-ISRAELI-CITIZEN ARABS IN  
PRISON FOR SECURITY OFFENSES IN ISRAEL PROPER OR IN THE  
TERRITORIES. OF THIS NUMBER, 22 WERE UNDER ADMINISTRATIVE  
DETENTION; AN ADDITIONAL 280 SUSPECTED SECURITY OFFENDERS  
WERE AWAITING TRIAL."

-- C. (PAGE 7) PARAGRAPHS 2-4 SHOULD BE CONDENSED  
INTO ONE SHORT PARAGRAPH.

-- D. (PAGE 8) LAST SENTENCE: "THESE PROCEEDINGS,  
ALTHOUGH NOT ALWAYS OPEN TO THE PUBLIC, GENERALLY MEET  
THE STANDARDS OF A FAIR TRIAL. HOWEVER, THERE ARE  
NUMEROUS COMPLAINTS FROM ARAB PRISONERS THAT INSUFFI-  
CIENT STEPS HAVE BEEN TAKEN TO ENABLE THEM TO FOLLOW  
THE PROCEEDINGS."

SECTION 2

-- (PAGES 8 AND 9) ADD AFTER THIRD SENTENCE: "INHABI-  
TANTS OF THE TERRITORIES ALSO FEEL THE FACT THAT THEY  
HAVE BEEN TIED INTO THE ISRAELI ECONOMY HAS INHIBITED  
THE INDIGENOUS INDUSTRIAL AND TECHNOLOGICAL DEVELOPMENT  
OF THE WEST BANK AND THE GAZA STRIP." ADD AT END OF  
PARAGRAPH: "RECENT EFFORTS BY THE ISRAELI MINISTER OF  
DEFENSE AND MILITARY GOVERNOR TO SATISFY ECONOMICALLY-  
RELATED REQUESTS BY WEST BANK MAYORS HAVE MARKED A NEW  
POSITIVE TREND IN THE ATTITUDE OF THE MILITARY GOVERN-

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PAGE 01 TEL AV 12079 03 OF 03 091322Z  
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C O N F I D E N T I A L SECTION 03 OF 03 TEL AVIV 12079

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MENT."

SECTION 3

-- B. (PAGE 9) ADD AT END OF PARAGRAPH: "MANY RESIDENTS OF THE TERRITORIES CLAIM THAT SEARCHES AT THE BRIDGE GO BEYOND NORMAL SECURITY REQUIREMENTS AND INVOLVE HARASSMENT AND HUMILIATION."

SECTION 4

-- (PAGE 10) DROP LAST SENTENCE OF FIRST PARAGRAPH. SECOND PARAGRAPH SHOULD BE UPDATED TO MAKE REFERENCE TO RECENT VISITS BY OFFICIALS AND EXPERTS OF THE UN SPECIALIZED AGENCIES. VIETS

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## Message Attributes

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**Decaption Date:** 20 Mar 2014  
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**Disposition Case Number:** n/a  
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